

FILED

AUG 31 2015

CARMELITA REEDER SHINN, CLERK
U.S. DIST. COURT WESTERN DIST. OKLA.
BY W DEPUTY

James Jordanoff IV
Name
2550 W. Franklin Rd.
Norman, OK 73069
Address

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

James Jordanoff, Plaintiff
(Full Name)

v.

Turn Key Health, Defendant (s)
For Cleveland County Jail,

CASE NO. CV-15-940-HE
(To be supplied by the Clerk)

CIVIL RIGHTS COMPLAINT
PURSUANT TO 42 U.S.C.
§1983

A. JURISDICTION

- 1) James Jordanoff IV, is a citizen of Oklahoma
(Plaintiff) (State)
who presently resides at 2550 W. Franklin Rd.
(Mailing address or place)
Norman, OK 73069
(of confinement)
- 2) Defendant Board of directors et al, is a citizen of
(Name of first defendant)
Norman, OK, and is employed as
(City, State)
Administration, At the time the claim(s)
(Position and title, if any)
alleged in this complaint arose, was this defendant acting under color of
state law? Yes ☒ No ☐. If your answer is "Yes", briefly explain:
using jail staff Ms. Williams in concert
to obtain "Records Mental Health" from Red Rock,

3) Defendant Head Nurse Cindy is a citizen of _____
(Name of second defendant)

Norman, OK, and is employed as _____
(City, State)

Head Facility Nurse, Medical. At the time the claim(s)
(Position and title, if any)

alleged in this complaint arose was this defendant acting under color of state law? Yes ☒ No ☐ If your answer is "Yes", briefly explain:

Defendant Relied on Subordinates to Coerce

plaintiff into signing release of sensitive info

Directly related to plaintiff's current pending criminal case;
(Use the back of this page to furnish the above information for additional defendants.)

4) Jurisdiction is invoked pursuant to 28 U.S.C. §1343(3); 42 U.S.C. §1983.
(If you wish to assert jurisdiction under different or additional statutes, you may list them below.) In forma pauperis, pursuant
to ongoing legal case, Civ-B-548-R. . . .

B. NATURE OF THE CASE

1) Briefly state the background of your case.

Plaintiff reports facts and findings pursuant to new claim against county sheriff and jail medical for violation of "Hipa"; Medical law, where jail medical staff nurse Cindy has relied on subordinates to Coerce plaintiff into signing release of "sensitive documents" directly related to plaintiff's ongoing current criminal legal proceedings, to wit, "Medical records from Red Rock Adult behavioral health center". Plaintiff establishes his case on grounds where, plaintiff alleges that he was not in his right mind or competent. At the time he was coerced into signing release of confidential information, as he was not on his regular medication at the time of signing over release of sensitive documents, but was on Zyprexa, for which plaintiff alleges that mental health center Redrock gave plaintiff against his own wishes as plaintiff notified Red rock health center nurses that he was found to be allergic to Zyprexa. Anti psychotic Meds; as confirmed in plaintiff's Medical records history; additionally, plaintiff declares that in addition to being neglected medically, by being forced medication against his own will, Red Rock also had plaintiff on new antidepressants had never taken before to include Depakote given by jail facility as a "substitute" for his correct medication had been taking for years for "schizophrenia". Again, against his own better wishes; After plaintiff had notified psych. D.R. And jail medical staff Evelyn & someone, of his chronic case of Hepatitis-C. And the fact that he notified those officials of his wishes for them to contact his attorney to consent to release sensitive medical information as plaintiff explained all the above info. To Nurses Evelyn & someone except for their relent to continue to pressure plaintiff into signing 2-release of confidential info;

Defendant Nurse Evelyn is a citizen of
Norman, OK and is employed as
Facility Nurse. At the time the claim(s)
alleged in this complaint arose was defendant acting
under state law ☒ yes ☐ no ☐ explain..

Defendant worked in concert with jail case worker
Ms. Williams to obtain plaintiff's Mental health records.

C. CAUSE OF ACTION

- 1) I allege that the following of my constitutional rights, privileges or immunities have been violated and that the following facts form the basis for my allegations: (If necessary you may attach up to two additional pages (8½" x 11") to explain any allegation or to list additional supporting facts.)

A) (1) Count I: Violation of "Hipa" Confidential Medical Information act; Tampering with Evidence;

(2) Supporting Facts: (Include all facts you consider important, including names of persons involved, places and date. Describe exactly how each defendant is involved. State the facts clearly in your own words without citing legal authority or argument.)

Nurse Evelyn did work in concert with Case Mgr. Ms. Williams to obtain plaintiffs Mental Health records From Red Rock adult behavioral health Center.

B) (1) Count II: Violation of 14th Amendment Right to due process; Declares mistrial; Under § procedural due process; Tampering with Evidence;

(2) Supporting Facts:

C. Cause of Action

1) A. (1): Count 1:

Plaintiff would respectfully tender the following additional information; Pursuant to "Hipa" medical info; Act; violation;


Because of the facilities continuing denial and relent to allow plaintiff to properly utilize the facilities grievance process as plaintiff has only been able to attempt resolve @ pending issues by means at "informal resolution" as Facility Admin; Lean Leamens, jail Clerk, maintains that she's only recently after over 3 months has only now been able to get up plaintiff with account on facilities "keyperk machine" where inmate grievances are composed & submitted formally; As of 6-21-15 approx. Furthermore, plaintiff has sought resolve at retracting his prior consent through informal resolution by making contact with the following officers; Sgt. Glasco; Corp. Harass; Sgt. Wheatley; Mgr. Davis; Chief W. Swain; D.O. Miller; Allyphant; Kyle; Heart Brown; Alington; Pierce; Gossage; plaintiff has sought resolve through the above, aftermentioned officers to have his prior consent to release medical information from any and all medical facilities to the Cleveland County Jail retracted; Along with also notifying the entire medical staff to include; Nurses; Evelyn; Cindy; Someora; Joseph; All of the above officers & nurses were notified same day of wishes by plaintiff to retract prior consent to release medical info on approx. Day of admission 3-23-15 to jail and plaintiff's continuing request threw above officers & nurses until present date; 6-28-15; Finally to be sure plaintiff did touch on following issues in other legal proceedings in case; CIV-15-578-R; Plaintiff establishes his count on grounds where plaintiff alleges he was coerced into signing over "sensitive medical documents" to Cleveland County jail's Nurse staff; Evelyn & Someora; after continual attempts and requests to do so especially after Plaintiff notified the following above aftermentioned officials of his "state of mind" as plaintiff declares; he was on mind altering medication; Zyprexa; for which he was forced at alleged escape of Criminal Case to ingest along with foreign Anti-depressant which in addition caused adverse reaction to wit; Elevated blood pressure recorded 200/98 bp, witnessed by patient care assistant Mr. Williams of Red Rock Adult & behavioral health center; Along with E-P-G; another adverse reaction due to Zyprexa; Extra; perimitol; symptoms; as these symptoms caused unique circumstances to wit; muscle spasms; racing, disordered thoughts; Add again elevated blood pressure; plaintiff maintains that these above mentioned symptoms were the cause of plaintiff's request to contact his attorney to inquire into signing over such sensitive documents and that plaintiff did explain

(1)

the above referenced information to Nurses Evelyn; Someora; but their for seeking privileged information was to determine whether or not the facility would provide plaintiff with "Sarguill" his actual prescribed medication he's been taking for years! For bi-polar Schizophrenia; Plaintiff did however notify Evelyn & Nurses Someora along with Sych. Dr. of Counties prior admission of plaintiff's Sych Meds; "Sarguill" in 2009. While plaintiff was pre-Trial detainee; And that plaintiff maintained that facility did in fact not need access to his Medical records for such info. as relevant info. was already part of jail's records as plaintiff did receive said "Sarguill" Medication in prior incarceration; But again; the Nurses relent to let the issue of signing over Medical records go;

ultimately facility did not need to determine whether or not plaintiff did in fact take "Sarguill" Medication as their own records already confirmed this fact. Therefore plaintiff considers facilities jail's acts and motives to be in ill intent at best! Considering prior legal proceeding in Fed Court pursuant to Civil Rights case in 2009 for 8th Amend. Cruel & Unusual Punishment Claim against County and Sheriff; This concludes plaintiff's facts & findings in count (2) in 1983; Civil Rights Claim;

I declare under penalty of perjury that the Above information contained therein is true and Correct;


James G. Gabor II

(2.)

C. Cause of Action;

D. B. (1): Count II: Civil Rights

Plaintiff would respectfully tender the following additional information; pursuant to "Violation of 14th Amendment Right to due process, Declaring Unconstitutional; under 18 & procedural due process; & Tampering with evidence."

Plaintiff respectfully brings his Count under the following grounds where County Jail Administration (all officials) have denied Plaintiff due process by restricting his abilities to properly & timely exhaust his administrative remedies. Plaintiff alleges that since his admission date in the Cuyahoga County Jail approx. 3-23-15, that Plaintiff has numerous attempts at informal resolution to obtain relief for the following deprivations, along with those officers & Medical Staff as mentioned in part C. § 1; A. § 1; Count 1; pg 3; see attachment of his Civil Rights Complaint.

1) Facilities jail's denial to arrange for Plaintiff to fill out "Formal Grievances" after 3 months of Plaintiff requesting to do so. Note that one of Plaintiff's allegations if not Counts, is the Facilities denial to properly assist Plaintiff with proper amount of postage & handling for his legal proceedings and any other "extra" amount of amenities to timely & properly file his legal proceedings as Plaintiff continues to maintain his indigent status at jail facility; Plaintiff has been limited to only one "prepaid indigent supply" envelope a week by Mjr. Davis and having notified the Mjr. & Chief, Mr. Swain; both of his dilemma where Plaintiff's indigent envelope is limited to only six pieces of paper by net weight. And Plaintiff needs extra postage & handling to properly satisfy the excess volume of paper in some situations when addressing his legal matters. Therefore Plaintiff alleges that because of the above information Plaintiff is having his abilities hindered or impeded purposely by facility administration in direct attempts to have his Civil Rights claim dismissed.

2) Plaintiff would respectfully call to Court, Count 2, of this Suit of the "Hipa" privacy act violation of Plaintiff's rights where he calls to Court where jail's Medical Staff violated Plaintiff's rights when Nurses Evelyn & Someora coerced Plaintiff into signing release of his medical records as they were directly related to Plaintiff's Criminal Case, making them "sensitive documents" Plaintiff alleges that because of the actions of Defendants; Evelyn & Someora that Plaintiff declares mistrial against County charges and Red Rock Adult behavioral health centers Missy Short, as such related info. contained within Plaintiff's Mental health records was sought by County Jail Medical Staff, Evelyn & Someora with ill intent, to do Plaintiff harm by divulging said info. with County prosecutors; even before Plaintiff's own attorney obtained possession of said documents and information. As Nurse Someora & Nurse Evelyn have been taunting Plaintiff by stating; "You signed over your consent, to release your medical records to us, its none of your business whom we share your records with" These following remarks were &

have been Flung at plaintiff several times upon addressing his concerns to Nurse staff members Evelyen & Someora by means of attempts at retraction of prior admission of consent to release confidential info & sensitive documents contained within plaintiff's mental health records. @ plaintiff's cell window numerous times along with plaintiff's attempts made known to Nurses Evelyen & Someora, through verbal contact to make known his sincere wishes that jail medical staff would not share said info with anyone or inside or outside agency; therefor plaintiff respectfully request this honorable federal court please consider constraining whatever 14th Amendment due process or procedural due process violations may be as its plaintiff's sincere belief that common logic confirms basic instinct that somewhere along the lines for which plaintiff fails to regret, hes ignorant to identify with those technical equations concerning the law. that however, facility medical nurse staff Evelyen & someora have over stepped their boundaries in their unjustified pursuit to do plaintiff harm through above mentioned refrechced information.

(3) Plaintiff would respectfully venture into possibility that after Fed. Review of the above tendered information that plaintiff would respectfully request that this honorable Fed. court consider plaintiff is compelled to respectfully consider his limited knowledge of the law, but for some reasoning hes compelled to mention possible dismissal of criminal case for defendants tampering with evidence, directly related to pending criminal case.

I declare under penalty of perjury that the Above information contained therein is true and correct;

Jamgoulange IV
Jamgoulange IV

C) (1) Count III: Level 3 Unusual Punishment
Medical Neglect;

(2) Supporting Facts: To include denial to schedule
Psych Dr. Appoint for over two months
for plaintiff to regulate medication;
Again Denied for cause of action
against Defendants;

D. PREVIOUS LAWSUITS AND ADMINISTRATIVE RELIEF

- 1) Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to the conditions of your imprisonment? Yes ☒ No ☐. If your answer is "Yes", describe each lawsuit. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)
- a) Parties to previous lawsuit:
Plaintiffs: James Jordanoff et al
Defendants: Joseph Lester, et al
- b) Name of court and docket number Civ-15-578-A
Western District of Oklahoma / Civ-15-719-F
- c) Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?) still pending;
- d) Issues raised Level 3 unusual Punishment
- e) Approximate date of filing lawsuit 06-03-15
- f) Approximate date of disposition 06-19-15

C. Cause of Action

1. C; (1): Count III:

Plaintiff would respectfully tender the following additional information; pursuant to: "Violation of 8th amendment right to be free from cruel & unusual punishment, Plaintiff establishes his Count on grounds on that which and where the Facilities staff has been seeking revenge on plaintiff in the means of denial of the following: For him being forced to have to take legal action for those violations explained of herein this Civil Suit;

(1) Denial of shower on approx. 6-22-15 & Denial of phone privileges without any due process observed before taking away that privilege as facility was previously allowing suicide watch patients to make phone calls to their families; No misconduct was issued to warrant denial of phone calls; Accordingly Mr. Davis also took away Robert Pectors phone privileges. An inmate located in next cell over from plaintiff for cause of legal actions taken against defendants. Therefor Mr. Davis is attempting to harm plaintiff physically by agitating other inmates to cause aggressive behavior to be taken against plaintiff for arbitrary actions Mr. Davis is taking against other inmates for plaintiffs being forced to have to utilize a higher Authority to make known of all the unjustified actions taken against plaintiff & others for plaintiffs justified legal actions taken against Cleveland County jail Administration And other legal Authorities. Furthermore, for every bit of progress plaintiff makes with respect to visiting with attorney or finally forcing admin. to have to allow plaintiff with access to facilities jail formal grievances on facilities "KEYPSK" machine, as such right to enjoy ability to utilize jails Admin. remedies formally & informally have been being used as power of persuasion to compel plaintiff to conform to administrations unjustified, vengeful actions taken against him when relief sought has been denied through means of denial of abilities to exhaust his Admin. Remedies; as explained herein;

(2) Therefor plaintiff would respectfully request this honorable Fed. Court to consider those vengeful hateful acts against plaintiff by Mr. Davis And Facility, Subordinates to pose an imminent threat of physical injury with respect to above mentioned info. And therefor forms plaintiffs basis for the Above and after mentioned information contained within this document in full consideration; I declare under penalty of perjury that the above information contained therein is true and correct;

(13)

~~James G. Goolsby IV~~
James Goolsby IV

- 2) I have previously sought informal or formal relief from the appropriate administrative officials regarding the acts complained of in Part C. Yes ☒ No ☐ . If your answer is "Yes", briefly describe how relief was sought and the results. If your answer is "No", briefly explain why administrative relief was not sought. As tendered in part C, A.

1) Count one cause of action, plaintiff has explained how, of his many attempts at seeking relief with those officers and nurse's as mentioned herein, But the Jail Administrations denial to arrange/allow for plaintiff to utilize his formal grievances after informal resolutions were denied.

E. REQUEST FOR RELIEF

- 1) I believe that I am entitled to the following relief:

Plaintiff respectfully requests punitive damages in the amount of 100,000.00 one hundred thousand dollars for pain/suffering, Mental Anguish,

Signature of Attorney (if any)

Signature of Petitioner

(Attorney's full address and telephone number.)

DECLARATION UNDER PENALTY OF PERJURY

The undersigned declares (or certifies, verifies, or states) under penalty of perjury that he is the plaintiff in the above action, that he has read the above complaint and that the information contained therein is true and correct. 28 U.S.C. § 1746. 18 U.S.C. § 1621.

Executed at Cleveland County jail on 8-27-15, 199 .
(Location) (Date)

James G. Grady IV
(Signature)